

Staff Study on Dissemination of Agency Publications
(1961)

SECRET

Job #2734

1 of 2

1.2.26/3

Executive Registry

67-4/66

18 May 1961

MEMORANDUM FOR: Chairman, Agency Publications Board

THROUGH : Chief of Operations, DD/F MAY 19 1961

SUBJECT : Staff Study Draft on Dissemination of Agency Publications Beyond the Intelligence Community.

REFERENCES : DD/F Memo to DD/S, subject as above, dated 20 March 1961.
Minutes of APS Meeting of 5 April 1961.

1. At the most recent meeting of the Board, you noted the DD/F's memorandum objecting to the draft regulation on "Public Dissemination"; and you asked me to discuss it further with Clandestine Services officials. This I have done, and the issue has been favorably resolved by the changes suggested in Paragraph 4 below.

2. The basic problem was the language in Paragraph 3c, requiring all producers of intelligence and intelligence information to give consideration to public dissemination. Since we prepare about 3500 reports a month, most of them in the field, this responsibility would have imposed a heavy, unprofitable and distracting burden on information processors.

3. As a result of the Board's April 5 meeting, I was able to explain that it was not concerned with individual information reports but rather with finished intelligence and collections of information. These, in the case of the Clandestine Services, are comparatively rare, and are prepared by special units which can exercise concentrated judgment on problems of wider dissemination, and can bring to bear all the considerations and safeguards provided in the draft regulation.

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4. So, we suggest the following changes in Paragraph 3c of the draft:

c. All producers of intelligence and collections of intelligence information shall

(1) Bear in mind, beginning with the early stages of composition or compilation of papers for which public dissemination might become a possibility, measures that would facilitate public dissemination.



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Clandestine Services Representative to
Agency Publications Board

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Form 241

25X1A

24 MAR 1961

335

Admin

(Staff Study & Regulation on
Dissemination)

On 18 January 1961 we gave you
comments received from Col. Grogan.

Attached is the comment received
from the DD/P.

Both the IG and Director of
Security concurred without comment.

25X1A

actig ^{15/} [REDACTED]
Executive Assistant to the DD/S
121 East 8875

O-DD/S:GHT:mgm(3/23/61)

Distribution:

O - Addressee w/att

1 - DD/S (chrono)

1 - DD/S (subject)

1 - DD/S- [REDACTED] w/h

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DD/S 61- 0878 : DD/P 1-1254, Staff Study Draft on Dissemination
of Agency Publications Beyond the Intelligence
Community

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C-O-N-F-I-D-E-N-T-I-A-L

COORDINATION RECORD

<u>Coordinating Officials</u>	<u>No. Copies Required</u>	<u>Concurrence Sheet Date</u>	<u>Reply</u>
Deputy Director (Intelligence).....	12		Comments Nonconcur
Deputy Director (Plans).....	20	20 Mar 61	Comments Nonconcur
Inspector General.....	12	1/18/61 on RSI-750	Comments Nonconcur
Initiating Office..... (Info)			
Office of Training.....			No. of copies:
General Counsel.....	12		No legal questions Comments
<u>Director of Security</u>	2 (Info)	2/15/61	
<u>Col. Grogan</u>	2 (Info)	17 Jan 61	Col. G. Grogan Concur (in R)

REMARKS:

PROPOSED ISSUANCE:

Job No.

2734

DRAFT

B

DATED

COMMENTS DUE:

C-O-N-F-I-D-E-N-T-I-A-L

SECRET

DC/P-1254

20 MAR 1961


MEMORANDUM FOR: Deputy Director (Support)

SUBJECT : Staff Study Draft on Dissemination of Agency
Publications beyond the Intelligence Community

1. As indicated previously, we do not endorse the proposed regulation, with which we disagree in principle.

2. The change made in paragraph 3.c. of the revised draft does not accomplish the purpose we had in mind. We are disinclined to have CS components concern themselves with the question of public dissemination, including the consideration of whether public dissemination might or might not become a possibility, when they are processing intelligence or intelligence information. If the proposal to publish a regulation on public dissemination is sustained, we must request that its application be limited to DDI.

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RICHARD M. BISSELL, JR.
Deputy Director
(Plans)

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15 FEB 1961

MEMORANDUM FOR: Deputy Director (Support)

ATTENTION

:

[REDACTED]

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SUBJECT

: Staff Study Draft on Dissemination
of Agency Publications Beyond the
Intelligence Community

This office concurs in the revised draft of [REDACTED] and
the modifications to the subject staff study draft as submitted
under your memorandum of 13 January 1961.

25X1A

SIGNED
Sheffield Edwards
Director of Security

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REC 13 5 PM 1961
SECRET

17 January 1961

MEMORANDUM TO: DD/S

SUBJECT: [REDACTED]

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1. There is nothing to indicate that the DCI has approved a policy which this proposed Regulation would implement.

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2. This proposed Regulation [REDACTED] is entitled "Public Dissemination," in contrast to the covering memo on "Public Dissemination of Agency Publications." The regulation contains several radical departures and reversals from existing public-information policies and channels established by the DCI, as well as ambiguities of language that seem inappropriate for a formal document that is to be circulated as a "Regulation" for the guidance of all employees. Neither the draft Regulation nor the staff study, furthermore, adduce any genuinely supporting evidence or argumentation that such changes in Agency "public dissemination" practices are either necessary or desirable. On the contrary, some of the changes will, in my opinion, have an adverse rather than salutary affect, by opening a "pandora's box" of mischief, especially insofar as the Regulation seems to be encouraging all operating offices, if not all Agency employees at whatever ranks, to become preoccupied with planning and promoting the public dissemination of CIA-produced intelligence.

3. If literally read and followed by Agency employees, especially by those who are chafing for more and more "public recognition" for themselves, such a Regulation will help to dilute the prestige, among officials and agencies of Government to whom CIA's classified intelligence reports and evaluations are addressed, in genuine confidence, on matters of national security. The Congress may be especially interested.

4. Specifically, the following are defects in this proposed Regulation:

(1) To devote a Regulation to the separate subject of "public dissemination" (the title of the Regulation) is to give a wholly misleading emphasis to CIA's basic function of dissemination within the NSC clientele.

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(2) The Regulation makes no reference whatsoever to the two major existing policies on public dissemination--Regulation [REDACTED] (recently revised), and Notice [REDACTED] (re-issued 6 September 1960).

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(3) The Regulation makes no reference whatsoever to the long-established policy of the DCI, in which he has personally reserved responsibility, exercised for him through the Assistant to the Director, for all public dissemination.

(4) The Regulation, in addition to failing to note the two directives (cited above), cites, instead, two other Regulations (Regulation [REDACTED] which contain erroneous implications

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about the dissemination of Agency reports to public-information media and outlets.

STATSPEC (a) Paragraph 1 of the Regulation, in citing Regulation [REDACTED] (dated April 1952), gives undue prominence to a Regulation which (as far as public disclosures are concerned) is long out of date. That old Regulation seems to exempt entirely, from control, certain "unclassified" [REDACTED] reports and "technical" publications. In actual fact, the dissemination of unclassified reports of [REDACTED] is subjected to continuing control and supervision. 25X1A STATSPEC

25X1A (b) Similarly, paragraph 1 of the proposed Regulation cites a new recent Regulation [REDACTED] dated 4 August 1960), which gives broad but undefined authority to both DDI operating offices and DDP area divisions to prepare "... releases to the public," including "background briefings, symposiums, seminars, speeches, writings for publication, presentations, courses of instruction, press releases, formal and informal interviews with press representatives, and other aspects of public relation activities." The latter Regulation, likewise, seems to ignore the DCI's established policies and procedures for controlling distribution of information to public outlets, and fails to note the two basic Regulations on the subject cited in my paragraph 1 above.

- (5) It is questionable whether it is the Agency's "policy" to publish information "that would not otherwise be available" (p. 2, par. 2, line 9 from bottom); the assertion that this is inferred somehow from "NSC directive" (line 13 from bottom); and that the purpose of this new Regulation is "to ensure more thorough and methodical consideration of the appropriateness of public dissemination" (line 16 from bottom).
- (6) Par. 2 b refers to the "protection" of "sources, methods, and positions." The latter term "positions" is ambiguous: does it mean to conceal the names of CIA employees, or of the position that they occupy, or the number or grade of positions; or something else, such as a policy position or position paper? A similar reference to "positions" appears on Page 4, line 10, and Page 5, line 4.
- (7) Par. 2 c repeats the objectionable statement that "in no case" will there be dissemination "without attribution."
- (8) The proposed allocation of "responsibilities," within CIA, for handling public dissemination (Par. 3), which is now to be divided between the Agency Publications Board, the Security office, and OCR, is wholly in contradiction of the Director's long established personal responsibility for controlling the release of information for public use, as outlined [REDACTED]

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- (9) The Agency Publications Board's proposed function, to "provide any necessary interpretations or clarifications of this policy," is ambiguously

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stated. I suggest that "this policy" not be issued in Regulation form until it is first "clarified." Is it intended that this Board will be the final review and clearance point for all reports to be issued to the "public" and as the final review and clearance point for all "public" distribution of CIA reports?

- (10) One proposed function of OCR (Par. 3 c) is to effect or "assure" all coordination within CIA. This clause omits the two principal offices of primary concern--the Director's Assistant, and the Legislative Counsel, through whom all released testimony and documents used by Congressmen and Congressional committees are cleared and passed.
- (11) The last subparagraph under # "3" (mislabelled "c", but probably intended as "d"), inviting "all producers" of intelligence in CIA to "bear in mind" the public-dissemination possibilities of the material they are analyzing and compiling, and urging them to "so organize their work" as to facilitation declassification, puts the cart before the horse.

If the analyst is to keep his eye on the publicity aspects of what he is writing, it may not only vitiate the confidentiality of his mission; it will encourage him to be a public-relations promoter and will run the danger, in addition, of destroying that sense of intelligence objectivity which we regard as the hallmark of all of our products. To keep one eye "open" for "the main chance" of a publicity coup is to introduce a main distraction to our business of advising and informing the policy makers, confidentially, at the national-security level.


Stanley J. Grogan
Assistant to the Director

25X1A

Attach.
cc: DCI w/o attach.
DDCI w/o attach.

SECRET

10 JAN 1961

MEMORANDUM FOR: Deputy Director (Intelligence) - 12
Deputy Director (Plans) - 20
Inspector General - 2
General Counsel - 2
Director of Security - 2

SUBJECT : Staff Study Draft on Dissemination of Agency Publications Beyond the Intelligence Community

25X1A

1. Attached are copies of modifications in the subject staff study and a revised draft of [REDACTED] which are submitted for your review and comment. The changes are a result of comments received on the original coordination dated 10 August 1960.

2. Any questions may be referred to [REDACTED] Secretary, Agency Publications Board, extension 4648.

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3. Please let us have your comments as soon as possible. Concurrence Sheets are attached for use in connection with the proposed [REDACTED].

25X1A

[REDACTED]
Executive Assistant to the
Deputy Director (Support)

Enclosures:

As stated in par. 1

O-DD/S:GHT:mgm(9 Jan 61)

Distribution:

- 1 - DD/S (chrono)
- ✓ 1 - DD/S (subject)
- 1 - DD/S [REDACTED] w/held 25X1A
- 0 - DD/I
- 1 - DD/P
- 1 - IG
- 1 - OGC
- 1 - D/Sec

JAN 13 3 10 PM '61

SECRET

13 Jan 1961

MEMORANDUM FOR: Colonel Stanley J. Grogan

SUBJECT : Staff Study Draft on Dissemination of Agency
Publications Beyond the Intelligence Community

Attached are copies of modifications in the subject staff study and a revised draft of [REDACTED] which are submitted for your review and comment. The changes are a result of comments received on the original coordination dated 10 August 1960.

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25X1A

Any questions may be referred to
[REDACTED] Secretary, Agency Publications Board, extension 4648.

25X1A

Please let us have your comments as soon as possible. A Concurrence Sheet is attached for use in connection with the proposed [REDACTED].

25X1A



Enclosures:
As stated

O-DD/S:GHT:mgm

Distribution:

0 - Addressee w/att

1 - DD/S (chrono)

1 - DD/S (subject)

2 - DD/S [REDACTED] w/held

25X1A

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S-E-C-R-E-T

8 November 1960

MEMORANDUM FOR: Executive Assistant to the Deputy Director (Support)

SUBJECT : Draft Regulation on Public Dissemination of Agency Publications

1. The subject draft regulation was incorporated in a staff study draft, dated 3 August 1960, and titled "Dissemination of Agency Publications Beyond the Intelligence Community". The staff study draft was circulated by your office attached to a memorandum dated 10 August 1960.
2. Based on suggested corrections received from the DD/P, the DD/I, the Director of Security, and Colonel Stanley J. Grogan, the Secretariat of the Agency Publications Board has prepared a change sheet for the staff study draft plus a revised draft of the regulation, copies of which are attached.
3. In preparing the revised draft regulation we have taken into account the recommendations of the DD/I and the DD/P and some of the recommendations of the Director of Security.
4. The Director of Security bases several suggested changes on the assumption that the proposed regulation should cover only information which is unclassified on receipt in order to avoid overlap with [REDACTED] which sets forth requirements for classified intelligence proposed for declassification and release to the public.
5. We feel that the proposed regulation does not conflict or overlap with [REDACTED]. The proposed regulation is a statement of policy and of assignment of responsibilities to carry out the policy. The draft staff study, in the Board's opinion, establishes the need for issuance of such a policy statement in the form of a regulation. [REDACTED] is not a policy statement on public dissemination but is concerned with requirements for disclosure of classified and of sensitive intelligence beyond authorized channels. To confine the proposed regulation to coverage of intelligence or information which is unclassified on receipt would be to leave the Agency without a comprehensive statement of policy regarding the public dissemination of CIA-produced material in general.

S-E-C-R-E-T

S-E-C-R-E-T

6. The DD/P requested that the application of Paragraph 3., c., be confined to producers of finished intelligence. However, this would exclude the production of some DD/I components which the regulation is intended to cover. We believe that the DD/P objection is met by the revision of Paragraph 3., c., (1) to specify "papers for which public dissemination might become a possibility."

/s/
Lyman B. Kirkpatrick
Chairman
Agency Publications Board

S-E-C-R-E-T

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S-E-C-R-E-T

AGENCY PUBLICATIONS BOARD

8 November 1960

CHANGE SHEET FOR STAFF STUDY DRAFT: Dissemination of Agency
Publications Beyond the
Intelligence Community,
3 August 1960

Page 1 --

II., A., 1., second line: Between "community" and the colon
insert "and other Government units cleared to receive
classified information"; third line: next to last word
is "of"

Page 2 --

II., A., 4., third line: change "items" to "portions";
sixth line: Delete sentence "The Joint * * * * *
issuances a year."

Page 6 --

STATSPEC

STATSPEC

Fourth line on page: Change [REDACTED]
[REDACTED]; II., B., 1., second line: Change
"Sections" to "Section"

Page 7 --

Second line on page: Change "release of which" to "whose
release"

Page 8 --

Subparagraph 4, first line: Change "department" to
"organization"

Subparagraph 5: For the second sentence substitute the
following: "However, the information value of any publica-
tion is so diminished, if the reader is prevented from
knowing on whose authority statements are made, that there
seems to be excellent reason to avoid non-attribution in any
circulation within the U. S. except for specific reasons to
selected persons."

S-E-C-R-E-T

STATSPEC

Subparagraph 2, first line: add "and 3." after "2."
Subparagraph 3, last line: End sentence with "categories."; delete remainder
Subparagraph 4: Make it read as follows: "4. The AD/CR paper provides guidance only for translations and related materials. Considerations of prestige or other clear-cut advantages to CIA have guided AD/CR implementation. One example is the attributed Scientific Information Report (see TAB E, 2, b, (1))."
Subparagraph 5: Delete it

Subparagraph 6: Delete it
Add new Subparagraph 5: " 5. The sale of some publications, other than translations or related materials, printed or underwritten by the Agency, appears to be inconsistent with the policy stated in the AD/CR paper with respect to such material."
Subparagraphs 7 and 8: Remember them 6 and 7

Subparagraph 2: For last three words substitute "sources", methods, and positions."
Subparagraph 4: To the first sentence add this parenthetical phrase before the period "(unless for a specific reason and to a selected list of recipients)"

Next to last line: Delete "and to ORR"
Last line: Change "serial" to "series"

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S-E-C-R-E-T

TAB B, Page 7 --

Subparagraph (4): Add the following sentence at end--
"Also approximately 450 copies of each Gazetteer are
distributed gratis to libraries throughout the U. S.
by the Library of Congress."

TAB D, Page 9 --

Subparagraph 18., a.: In first line delete "Foreign";
in fourth line change "Broadcasting" to "Broadcast" twice

TAB D, Page 10 --

Second line of page: delete "Radio"
Two lines above Subparagraph B: Delete "Foreign"

NOTE:

In addition, such changes will be made in the staff study
as are necessary to reflect the fact that the unclassified
Scientific Information Report is being replaced by a classified
version as of 1 January 1961.

S-E-C-R-E-T

Next 5 Page(s) In Document Exempt

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Form No. 241

25X1A



343

Admin

Larry:

Inasmuch as I am going to be out of town for a couple of weeks I thought you might like to have the attached comments received on the Public Dissemination staff study and regulation.

15/
C. E. B.

Executive Assistant to the DD/S


123

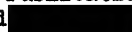
East

8875

O-DD/S:GHT:mgm

Distribution:

- 25X1A
- 0 - Addressee w/atts
 - 1 - DD/S (chrono)
 - ✓* 1 - DD/S (subject)
 - 2 - DD/S  w/held

DD/S 60- 3489 : Staff Study on Dissemination of Agency Publications
Beyond the Intelligence Community and 
Public Dissemination

25X1A

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AV
10/24/60

C-O-N-F-I-D-E-N-T-I-A-L

COORDINATION RECORD

<u>Coordinating Officials</u>	<u>No. Copies Required</u>	<u>Concurrence Sheet Date</u>	<u>Reply</u>
Deputy Director (Intelligence).....	12		Comments Nonconcur
Deputy Director (Plans).....	20	20 Sept 60	Comments Nonconcur
Inspector General.....	2	Rec'd 20 Sept 60 C. S. 1-123 20 Sept 60	Comments Nonconcur
Initiating Office.....	(Info)		
Office of Training.....	1		No. of copies:
General Counsel.....	2	Rec'd O. H. on 20 Sept 60	No legal questions Comments
<u>Col Stanley J. Grogan</u>	1 (Info)	8/11/60	NONCONCUR
<u>Director of Security</u>	2 (Info)	9/9/60	No comment

REMARKS:

PROPOSED ISSUANCE:

Job No.

2734

DRAFT

DATED

8/11/60

COMMENTS DUE:

17 SEP 60

C-O-N-F-I-D-E-N-T-I-A-L

25X1A

C & B says these comments will probably be given to [redacted] shortly before the Sept. mtg of the APB-

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10-560-3489

0-4882

MEMORANDUM FOR: Deputy Director (Support)

SUBJECT : Staff Study Draft on Dissemination of Agency
Publications Beyond the Intelligence Community
(Job No. 2735)

1. While I cannot endorse the recommendations made by the subject study, neither do I wish to object if, as is apparently the case, they are intended to apply predominantly to DDI components.

2. If it is decided to issue the regulation, the following amendments are requested:

a. In order to protect CS operational equities, with which the Offices of Security and General Counsel are not likely to be familiar, we believe the coordination required prior to approval of public dissemination should include coordination with the CI Staff, and that CI Staff should therefore be included in the listing which appears in paragraph 3.b.(1).

b. As producers of intelligence information, CS components would appear to be subject to the rather categorical requirements of paragraphs 3.c.(1) and (2), not only in connection with any studies which might be developed but also when preparing intelligence information reports for dissemination. This would not be satisfactory. Adherence to these requirements could delay or detract from performance of their more important functions and be at variance with the statement of policy in paragraph 2.b. of the draft regulation. The application of paragraph 3.c. should be narrowed. Perhaps this could be done satisfactorily if the introductory words were changed as follows: "All producers of finished intelligence ~~and intelligence information~~ shall . . ."

25X1A

RICHARD M. BISSELL, JR.
Deputy Director
(Plans)

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9 SEP 1960

MEMORANDUM FOR: Executive Assistant to the Deputy Director
(Support)

SUBJECT : Staff Study Draft on Dissemination of Agency
Publications Beyond the Intelligence Community

REFERENCE : A. Memorandum from [REDACTED] 25X1A
[REDACTED] 4 August 1960, Subject:
Consolidation of Regulations on Disclosure
of Intelligence.

B. Memorandum from EA/DDS to multiple
addressees dated 10 August 1960,
subject as above.

1. Reference A cited a number of published and proposed regulations and asked that the Office of Security sort out these regulations and assure consolidation so that there will be a minimum number of regulations and eliminate the areas of overlap and conflict that presently exist.

25X1A

2. Reference B attached copies of a staff study draft for review and comment and included therein a proposed regulation [REDACTED] "Public Dissemination" for concurrence and comment.

3. This office has reviewed the staff study draft and has no comment to make other than that the draft performs a useful function in pulling together in one paper dissemination practices and procedures of the Agency concerning those publications released beyond the intelligence community.

4. Concerning the proposed regulation "Public Dissemination" the following comments with reasons, where appropriate, are offered in the light of Reference A for the eventual purpose of eliminating areas of overlap and conflict:

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**SUBJECT: Staff Study Draft on Dissemination of Agency Publications
Beyond the Intelligence Community.**

TITLE

Comment: The title should be changed to read: "Public Dissemination of Unclassified CIA-Produced Intelligence or Intelligence Information."

Reason : The draft regulation as written attempts to cover both information which has been declassified and information which is unclassified on receipt. [REDACTED] "Disclosures of Classified Intelligence" sets forth requirements for classified intelligence proposed for declassification and release to the public.

25X1A

1. General

Third Line---

Comment: The word "continental" should be deleted and replaced by "states of the".

Reason : To allow for dissemination within the states of Alaska and Hawaii.

Fifth Line---

Comment: The following should be inserted as the second and third sentences: "This regulation shall control the public dissemination of unclassified information or intelligence which is unclassified on receipt. Any classified intelligence or information which is proposed for declassification and release to the public must follow the provisions of [REDACTED] "Disclosures of Classified Intelligence."

25X1A

Reason : The intent and purpose of this regulation should be clearly set forth to distinguish between unclassified and declassified intelligence and information.

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**SUBJECT: Staff Study Draft on Dissemination of Agency Publications
Beyond the Intelligence Community.**

Fifth Line---

Comment: The sentence beginning "This regulation..." should be restated to cite as basic authority the NSC Directive (Staff Study, Page 16) when approved, to rescind the DCI-approved OCR memorandum of 8 June 1958, and to cancel pertinent provisions of [REDACTED] as they may be incorporated into or superseded by the proposed regulation. 25X1A

2. Policy

a.

Third Line---

Comment: Delete the words "within sound security procedures" and replace by "not in conflict with caveats or control markings".

Reason : Inasmuch as the regulation would now apply to unclassified information the security considerations for public dissemination would concern caveats or other control statements.

Tenth Line---

Comment: The sentence beginning "For the purposes..." should be deleted.

Reason : The changes suggested under paragraph 1. General would now set forth the purpose of the regulation.

b.

Fourth Line---

Comment: Delete the remainder of this sentence beginning "requirements for..." and replace by "control measures established for unclassified information

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SECRET

**SUBJECT: Staff Study Draft on Dissemination of Agency Publications
Beyond the Intelligence Community.**

subject to laws concerning copyright, libel, slander, and communications, and for other information which for moral, ethical, or legal reasons must be used for official purposes only."

Reason : It is thought the regulation should be specific concerning that unclassified information which should not be released to the public.

c.

Eighth Line---

Comment: Delete the word "continental" and replace by "states of the".

3. Responsibilities

a.

Second Line---

Comment: Change the period to a comma and add "exclusive of security advice".

Reason : It is not believed the Agency Publications Board is the proper entity to furnish security advice.

New b. ---

Comment: Insert as a new paragraph: "The Director of Security shall furnish security advice in any particular case upon request."

Reason : This language is inserted to set forth the responsibility of the Director of Security.

Subsequent lettering of the paragraphing should be appropriately changed.

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**SUBJECT: Staff Study Draft on Dissemination of Agency Publications
Beyond the Intelligence Community.**

Present c.

(1)---

Comment: Delete this subparagraph and make appropriate changes in the numbering of paragraphs that follow.

Reason : To remove any reference to classified intelligence and procedures for its declassification.

(2)

Second Line---

Comment: After the word "completed" insert "unclassified".

(a)---

Comment: Delete the language of this subparagraph and replace by: "Determination that the information is not otherwise available to the public."

Reason : The language of this subparagraph as presently written, particularly the word "sources" gives the impression that protection of intelligence sources is involved.

(c)---

Comment: Delete this subparagraph

Reason : Same as Present c. (1) above.

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SECRET

SECRET

**SUBJECT: Staff Study Draft on Dissemination of Agency Publications
Beyond the Intelligence Community.**

(3)

First Line---

Comment: After the word "selected" insert "unclassified".

(a)---

**Comment: Delete the language of this subparagraph and
replace by "That no classified material is
contained in the publication."**

New (b)---

**Comment: Insert as a new paragraph: "Recommending
authorized removal of any control statements
or markings;"**

**The lettering of the subsequent subparagraphs should be appropriately
changed.**

SIGNED

**SHEFFIELD EDWARDS
Director of Security**

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SECRET

S-E-C-R-E-T

Ceb-f

CONCURRENCE SHEET

TO: Office of the Deputy Director (Support), 121 East Building

25X1A

SUBJECT: Proposed [REDACTED] Public Dissemination

This issuance has been reviewed and our position is as follows:

- ☐ CONCUR: (Check each factor considered)
- () Substance
 - () Rescissions listed
 - () Classification
 - () Distribution proposed
 - () [REDACTED]
 - () Minor comments, not affecting concurrence, attached in duplicate
- ☐ NONCONCUR: Reasons are stated in separate memorandum, attached, in duplicate

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NONCONCUR: I do not agree with the statement in Paragraph 4, Page 15 that no Agency publication should circulate in the U.S. without some attribution and other bibliographical identification. It is possible for the Agency to issue publications to a selected list without any direct attribution to CIA.

In Paragraph 5, Page 8 I agree with the first sentence. I do not agree with the statement that advantages to this Agency would disappear if there were no attribution or that the information value of the publication would be diminished.

25X1A

[REDACTED]
Stanley J. Grogan
Assistant to the Director
O/DCI/HS
Office

11 August 1960
Date

(Job No. 2735-GHT)
Due: ASAP

S-E-C-R-E-T

SECRET

11 AUG
1960

MEMORANDUM FOR: Colonel Stanley J. Grogan

SUBJECT : Staff Study Draft on Dissemination of Agency
Publications Beyond the Intelligence Community

Attached are copies of a staff study draft for your review and comment. Note that Part V includes a proposed regulation which is submitted for your concurrence and comment.

The staff study has been developed and approved by the Agency Publications Board.

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Any questions may be referred to

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[REDACTED], Secretary, Agency Publications Board, extension 4648.

25X1A

Please let me have your comments as soon as possible. A Concurrence Sheet is attached for use in connection with the proposed [REDACTED]

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Enclosure:

As stated O-DD/S:CEB:mgm

Distribution:

0 - Addressee w/att

1 - DD/S (chrono)

✓ 1 - DD/S (subject)

✓ 2 - DD/S [REDACTED] w/held

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MEMORANDUM FOR: Deputy Director (Intelligence) - 12
 Deputy Director (Plans) - 20
 Inspector General - 2
 General Counsel - 2
 Director of Security - 2

SUBJECT: Staff Study Draft on Dissemination of Agency Publications Beyond the Intelligence Community

1. Attached are copies of a staff study draft for your review and comment. Note that part V includes a proposed regulation which is submitted for your concurrence and comment.

2. The staff study has been developed and approved by the Agency Publications Board.

3. Any questions may be referred to [REDACTED], Secretary, Agency Publications Board, extension 4648. 25X1A

4. Please let us have your comments as soon as possible. Concurrence Sheets are attached for use in connection with the proposed [REDACTED]

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Executive Assistant to the
 Deputy Director (Support)

Enclosures:

As stated in par. 1

cc: DTR w/1 att

O-DD/S:CEB:mgm (10 Aug 60)
 Distribution:

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 1 - DD/P
 1 - IG
 1 - GOC
 1 - D/Sec
 1 - DD/S (chrono)
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Form No. 241

10 AUG 1960

Director of Training

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(Staff Study Draft, including

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Inasmuch as your office is
interested in this subject, we would
appreciate any comments you care to
make.

/s/

Executive Assistant to the DD/S

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O-DD/S:GHT:mgm(10 Aug 60)

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DD/S 60- _____ : Staff Study Draft on Dissemination of Agency
Publications Beyond the Intelligence Community

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AGENCY PUBLICATIONS BOARD

3 August 1960

STAFF STUDY DRAFT: Dissemination of Agency Publications
Beyond the Intelligence Community

I. PROBLEM:

The purpose of this study is to describe current practice of disseminating Agency publications, or Agency-produced material which is intended for publication, beyond the intelligence community, to discuss the feasibility and desirability of wider dissemination, and to recommend action by the Director of Central Intelligence. Conclusions are set forth in Part IV, and the recommendations appear as Part V.

II. FACTS BEARING ON THE PROBLEM:

A. Current Methods and Channels of Dissemination

1. There are three general methods of disseminating Agency-prepared material beyond the intelligence community: (a) Addresses by Agency officers before public audiences or open hearings on Congressional committees; (b) Gratis distribution to selected recipients, and (c) Public sale.

2. As to attribution, the Agency officers who speak in public do so in their official capacity, while material disseminated otherwise may or may not be attributed to the Agency.

3. In 1959 the Director of Central Intelligence gave eight public addresses and spoke before one open Congressional hearing. The Deputy Director of Central Intelligence gave two public speeches and the Deputy Director of Intelligence three, while six other Agency

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officers spoke in public at least once. To the extent that prepared texts were released to the press or were reprinted in official records these speeches may be considered Agency publications reaching the public at large.

4. Selective gratis distribution is made of about ten publications, both CIA-attributed and attributed to others. Included are periodicals, serial issuances or unclassified items thereof, and occasional one-time publications. Largest circulation in this group is that of the [REDACTED]

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the "white book", with 521 customers. The [REDACTED] series of translations and abstracts also bulks large as it comprises some 300 individual issuances a year. Selective distribution is accomplished in several ways. The Office of Central Reference disseminates Agency publications to Government agencies outside the intelligence community. [REDACTED]

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[REDACTED] Office of Operations, provides publications to some of its sources. The Office of Personnel makes limited use of publications as recruitment aids. The Office of Training releases some of its material in the interest of scholarly exchange.

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5. About ten publications are for sale to the public through various channels, including several which are also given selective

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gratis distribution. Some are attributed to the Agency, some not. They reach the public through the Department of Commerce's Office of Technical Services, the Government Printing Office, and the Library of Congress. Circulation of the [REDACTED] translation series bulks largest in this group, with 15,000 items reported sold by OTS in 1959. Other prominent items are the weekly [REDACTED] STATSPEC

[REDACTED] STATSPEC
[REDACTED] which sold 3868 copies of individual volumes in a 22-month period. Besides the recorded paid circulation of these publications, some of them are also available to the public in photoduplicate or microfilm form from the Library of Congress or other libraries. (See Tab B for further details on II., A. 4 and 5, above.)

6. In addition to the regular dissemination of publications, as described in the two preceding paragraphs, briefing papers and documentary background material, prepared to meet special situations or requests, are given limited distribution outside the intelligence community. Much of this material originates in the Clandestine Services.

B. The Legal Position

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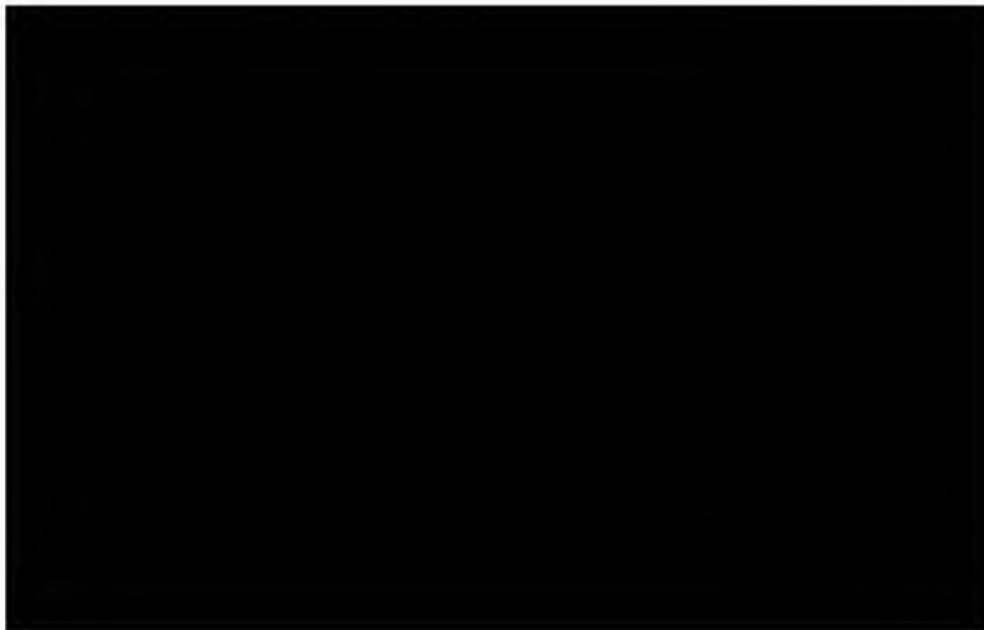
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4. Government Printing and Binding Regulations, published by the Joint Committee on Printing (July 1, 1959; No. 12), discusses sale and free distribution of publications printed by the Government Printing Office. Paragraph 25, quoting Section 220, Title 44, United States Code, provides that "journals, magazines, periodicals and similar publications," which can be certified as necessary in the transaction of public business, can be given free distribution by the issuing office to the extent of 2,000 copies. It also provides for the printing of additional copies for public sale, subject to regulation by the Joint Committee on Printing.

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5. Paragraph 36 of the Government Printing and Binding Regulations forbids the furnishing of "any publication for free distribution to any private individual or private organization, in lots to exceed 50 copies, without prior approval of the Joint Committee on Printing." (See Tab D for a fuller statement of the legal position.)

C. Current Policy

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1. Agency Regulation [REDACTED] dated April 7, 1952 reads in pertinent part as follows:

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2. Agency Regulation [REDACTED] dated April 4, 1952 prescribes procedures for dissemination of intelligence and intelligence information. Among the dissemination criteria to be employed by the Office of Collection and Dissemination (now OCR) is the following (Paragraph A, (1), (c): "Recommendations of the producing office when either initial or supplementary distribution to agencies or individuals without representation on the Intelligence Advisory Committee (now USIB) is contemplated."

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4. On June 7, 1958, the Director of Central Intelligence approved a policy paper submitted by the Assistant Director, Central Reference, covering the Agency's "own and sponsored translations and related materials of an unclassified nature." This paper provides: (a) That the Agency will make the maximum amount of such material available to the public; (b) That attribution, though not prohibited, will be avoided, particularly with reference to issuances published under contract, and (c) That dissemination to the public will be effected, with certain exceptions, through other Government departments. It further provides that the Agency will neither print nor underwrite the cost of printing of copies for public dissemination. (Full text appears as Tab A.)

5. No policy exists, except in regard to "translations and related materials," though "related materials" may be subject to rather broad interpretation.

III. DISCUSSION

A. Reasons for Public Dissemination

1. If the Agency's mission is to include the provision of information for the public at large, as distinct from Government or

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private organizations or individuals with a need to know, the publications thus made available should offer information release of which would benefit the national interest and which would not otherwise be available to the intended recipients.

2. In particular, the rendering of such a public service should help to keep United States scientific and technical circles abreast of developments in Communist Bloc countries, to inform the U.S. business community of Bloc commercial practices which might be harmful to U.S. and Free World interests, to alert U.S. private information media and friendly foreign information specialists to the content and techniques of hostile propaganda, to stimulate external research on Communism and Bloc countries and to maintain normal exchange relations with the non-Government scholarly community, and to furnish material which would enable regular Agency sources to become more efficient collectors.

B. Some Possible Risks

1. The first of the risks inherent in public dissemination is that, if papers are attributed to CIA, the Agency may be judged, for better or for worse, by the quality of the publications thus made available. While it may be possible to permit circulation of sanitized versions of some of the Agency's more carefully pondered and carefully presented reports as recruitment aids or in scholarly exchange, the majority of publicly disseminated items are bound to be in the category of informational compilations, in the case of which the bulk of the material handled and the need for timeliness often preclude the degree of perfection otherwise to be desired in items that may become show pieces.

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2. Secondly, the kind and quantity of attributed publications made available might present a misleading picture of the Agency's activities and mission and the areas on which greatest emphasis is placed. That the public should so gain an inaccurate impression could, on balance, be either advantageous or disadvantageous; the possibility of such an effect would have to be considered and the desirability weighed.

3. In the third place, erroneous conclusions might be drawn from attributed papers as to the Agency's intelligence position on certain matters, with resulting discomfort to the Agency and disadvantage to the Government. This risk, however, is considered slight, since rarely would a publication presenting an intelligence position meet security and other requirements permitting public dissemination.

4. If the publication is attributed to another department rather than to this agency, most of the above-mentioned risks would be eliminated. The national interest in the conveying of information would be as well served if attribution were to a reputable organization other than CIA, but of course advantages to the Agency in the field of scholarly exchange, recruitment aids, and briefing of sources would largely disappear.

5. The above-mentioned risks could also be avoided to a large degree in circulating papers with no attribution whatsoever. However, not only would any advantages to this Agency in particular disappear in this case, but the information value of any publication is so diminished, if the reader is prevented from knowing on whose authority

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statements are made, that there seems excellent reason to avoid non-attribution in any circulation within the U.S. Circulation outside the U.S. should of course continue to be governed by appropriate operational considerations. (See also Tab B, 3.a. (5) and Tab C, Par. 7 for further discussion.)

C. Criteria and Functional Aspects

1. If wider public dissemination is desired, or even if present dissemination practices are continued, criteria for selection of material should be set forth, certain functions should be defined, and appropriate assignments of responsibility should be made.
2. Criteria for selection might be affirmative answers to the following questions:
 - a. Do security factors permit release?
 - b. Can declassification or sanitization be accomplished feasibly and economically?
 - c. Can the question of attribution be solved plausibly and gracefully and with net advantage to the Agency and the Government?
 - d. Is there, on the part of the public or a significant section thereof, a definite and legitimate need and desire for the material? (In commercial terms, does a market exist?)
 - e. Is this material unavailable elsewhere?
3. The functions necessary to a public dissemination effort would seem to be:

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a. Systematic examination of Agency publication efforts, preferably in the early stages of production, in order to facilitate eventual declassification or sanitization, for the purpose of spotting candidates for public release.

b. Detailed application to candidate publications of the above criteria, including all necessary coordination within the Agency and Government and appropriate contacts with interested segments of the public.

c. Determining the means of printing and distribution.

4. To a considerable extent the above functions are now being performed by OCR in accordance with current regulations. TAB C, which discusses the problems of declassification and sanitization, also examines the implications which an expanded public dissemination program might have for OCR's workload and suggests as alternative arrangements a sharing of functions with publishing offices or an OCR-shared committee of specialists in intelligence fields with public-interest potential.

D. Legal Aspects

1. Statutes and regulations pertaining to Agency publication activity are summarized or extracted in Section II, C., above. More complete information and fuller discussion are provided in TAB D.

2. The Agency's authority to publish requires that such activity be within the mission of the Agency or necessary to its business as defined by statute or NSC directive. The statutes and directives contain no

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direct authority to publish for the purpose of public dissemination.

3. Within the framework of present statutes and directives all publishing must be for a legitimate intelligence purpose and if public dissemination is contemplated such dissemination must serve that purpose. If an Agency publication were issued primarily for public consumption and only incidentally for an intelligence purpose the expenditure could be questioned by the General Accounting Office as not within the scope of the Agency's business.

4. If CIA compiles information material which happens to fall also within the scope of the business of another agency which has authority to publish, the second agency may publish and distribute such materials. However, CIA must furnish the cost of its preparation effort in order that the second agency may assign to the publication a price which reflects a proper cost.

5. Publications for the Agency's own use are, of course, legally printed at the Agency's own facilities. But where no security factors are involved the printing should be done by the Government Printing Office. The Joint Committee on Printing can waive the requirement for GPO printing when it deems it necessary or urgent for printing to be done elsewhere.

6. Only printing authorized by law can be done at the GPO. However, an NSC directive, within the framework of Section 102d (4) and (5) of the National Security Act of 1949 (See II, B, 2., above),

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APP TRAFF DISSEM 3 Aug 60

would be sufficient to authorize the Agency to have printing done by the GPO.

7. There appears to be no legal problem with regard to unclassified publications which are produced by the Agency in the course of its legitimate business and of which copies are given to selected members of the public with whom Agency officials have normal and legitimate business.

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9. An NSC directive appears to be necessary to legalize the present public dissemination program and to permit any contemplated future expansion.

E. Policy Aspects

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1. Agency Regulation [REDACTED] (See Section II, C. 1, above) specifically exempts some publications from the need-to-know basis of dissemination. Such publications are described in the regulation as "certain unclassified information and technical publications issued

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by the [REDACTED] From the wording of the regulation it is not entirely clear whether the exemption

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is confined to [REDACTED] products or whether the phrase "certain unclassified information" refers also to the products of other Agency units. If the latter meaning is intended, the word "certain" leads the reader to expect to find elucidation elsewhere.

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2. Regulation [REDACTED] (See Section II, C., 2., above) may be too restrictive to permit wider dissemination as it specifies definite categories of persons outside of Government who are to receive unclassified publications. Also it says nothing about public sale.

3. The AD/CR policy paper referred to in Section II, C., 4., above, appears to contemplate expanded dissemination to the public of translations and "related" unclassified materials. However, some of the publications now available to the public do not fall into these categories, unless "related" is interpreted rather broadly.

4. The AD/CR paper does not provide clear-cut guidance for a consistent practice in the matter of attribution. The guidance which it does provide is apparently being violated in the case of the Scientific Information Report (See TAB B, 2, E, (1)).

5. Insofar as the AD/CR paper may have been intended to cover publications to be produced for sale to the public it gives tacit recognition to current efforts whose legal basis is called into question elsewhere in this study.

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b. State in general terms the circumstances under which such materials are to be made available, in order to provide for contingencies.

c. Prescribe the mechanism for selection.

d. Prescribe the means for processing, to include declassification or sanitization.

e. Taking cognizance of the legal position, determine where such materials are to be printed and how they are to be distributed, including specific reference to public sale.

f. Assign appropriate functional responsibilities.

IV. CONCLUSIONS

Consideration in Part III of the facts presented in Part II warrants the following conclusions:

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1. If Agency-produced material is to continue to reach significant segments of the public, effort should be directed toward a more thorough and consistent selection process to ensure that everything appropriate for public consumption is properly disseminated. Whether this effort results in decrease, increase, or level maintenance of the present flow is not material.
2. Before considering whether it is appropriate for any given document to go to the public it must be determined that such dissemination would neither impair the discharge of responsibilities placed upon the Agency nor jeopardize protection of intelligence sources and methods.
3. Public dissemination is appropriate when it serves national purposes, including specific Agency purposes. It may serve Agency purposes in any of a number of operational ways, or it may make the Agency's work easier and more fruitful by enhancing the Agency's reputation among actual or prospective contacts or among prospective employees. It may serve broader national purposes by supplying information, which is not otherwise available, as a contribution to the advancement of knowledge among scholars, to scientific and technical progress, or to the general enlightenment of the citizenry.
4. No Agency publication should circulate within the U.S. without some attribution and other bibliographical identification. Agency attribution should be used when it serves a specific purpose. Otherwise attribution should be to another organization. Appropriate outlets should be developed and maintained on a basis consistent with this policy.

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6. There is at present no Agency issuance which states policy consistent with Paragraphs 1-4, above. Therefore a regulation should be issued stating policy and procedure for selecting and processing material for public dissemination. This regulation should supersede conflicting portions of [REDACTED] and replace the DCI- 25X1A approved OCE memorandum of June 8, 1958. (See Recommendation 2.)

V. RECOMMENDATIONS

1. It is recommended that the Director propose and advocate the issuance of the following directive by the National Security Council:

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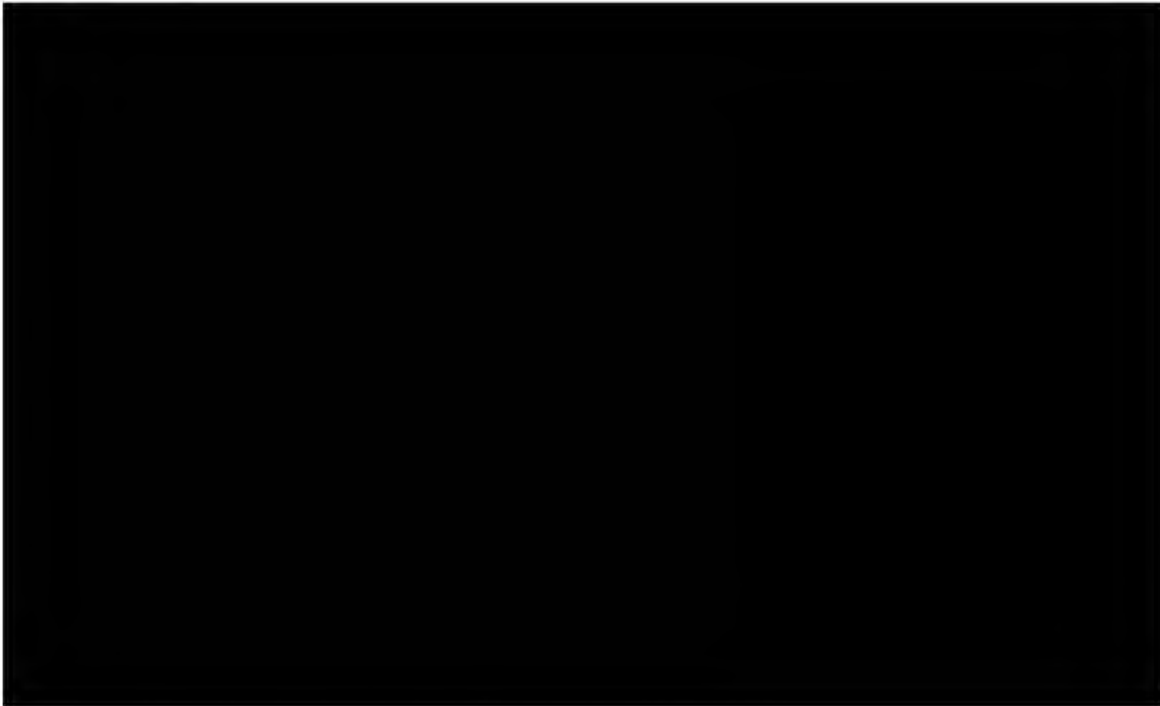
APB DRAFT DISSEM 3 Aug 60

2. The materials to be selected for publication and distribution shall be the responsibility of the Director of Central Intelligence. In the printing and distribution of such materials as the Director of Central Intelligence may determine to be suitable, normal procedures for Government printing, as promulgated in Title 44 of the United States Code and the regulations of the Joint Committee on Printing shall be followed whenever possible. Where appropriate, the Central Intelligence Agency may submit materials for publication or distribution to another Government department or agency.

2. It is recommended that the Director approve the following

Agency regulation:

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Next 2 Page(s) In Document Exempt

Staff Study on Dissemination of Agency Publications (1961)

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Job #2734

C-O-N-F-I-D-E-N-T-I-A-L

TAB A, APB DRAFT DISSEM 2 Apr 60

6 June 1959

MEMORANDUM FOR: Director of Central Intelligence

SUBJECT: Policy on Dissemination of CIA Translations

1. Para. 4 of this action memorandum requests your approval of a policy to control dissemination to the public of CIA translations and related reference aids.

2. The recent decision of the DCI to declassify certain Foreign Documents Division publications (e.g., Consolidated Translations Survey) and to permit their dissemination with CIA attribution has stimulated requests from colleges, libraries and business firms for access to these publications or for copies of them. Basic policy decisions are required in view of current and related actions being taken by the Department of Commerce and other government agencies having responsibility for making this type of material available to the public. The following policy is proposed pursuant to AD/CR responsibility under paras. 2 and 3h of CIA Regulation [REDACTED]

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3. Policy

a. General

CIA will make available to the public the maximum amount of its own and sponsored translations and related materials of an unclassified nature.

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c. Dissemination to the Public

CIA will not disseminate its materials directly to the public, but will cooperate with interested government agencies to effect dissemination through their channels

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TAB A, APB DRAFT DISSEM 2 Aug 60

(e.g. Library of Congress, National Science Foundation, Department of Commerce). CIA will not print nor will it underwrite the cost of reproduction of copies disseminated to the public. This shall not preclude selected direct dissemination by Agency officials to members of the public or press in the interest of public relations or for operational purposes (e.g. dissemination by Contact Division).

4. Recommendations

- a. That you approve the policy set forth in para. 3 above.
- b. That AD/CR be directed to implement the above policy.

/s/ Paul A. Borel
Paul A. Borel
Assistant Director
Central Reference

Concurrences:

/s/ George E. Carey
Assistant Director, Operations

/s/ Robert Amory, Jr. CPC/DDCI
Deputy Director/Intelligence

Approved:

/s/ Allen W. Dulles
Director of Central Intelligence
7 June 1958

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TAB B, APB DRAFT DISSEM 3 Aug 60

INFORMATION ON AGENCY PUBLICATIONS DISSEMINATED OUTSIDE THE INTELLIGENCE
COMMUNITY DURING 1959

1. GENERAL

About 17 Agency publications were circulated regularly or sporadically outside of USIB during 1959, including both periodicals and serial items. Ten of these were actually on public sale and most of the rest could be procured by the public through library photo-copying services. Various methods of distribution were used, and attribution varied from one publication to another, but the following statements were and are generally applicable: (a) The Agency does not sell copies or subscriptions; (b) Distribution to the public is made through other Government departments or through cover organizations; (c) Distribution to non-USIB agencies may be made by the Agency or by others; (d) The number of copies of a given item to reach the public is small by either commercial or Government Printing Office standards; (e) A CIA publication in a library or a non-USIB office may have been published by CIA with or without Agency attribution or it may have been published by another organization, again with or without Agency attribution.

2. ATRIBUTED TO CIA.

a. Published by CIA.

(1) The FDD Consolidated Translation Survey unclassified edition run is presently about 680 copies. Of these, 125 are an "over-run" for AEC at their expense, about 50 are disseminated to non-USIB agencies (10 to Agriculture, 9 to Health, Education and Welfare, 8 to

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TAB B, APB DRAFT DISSEM 3 Aug 60

Interior, 7 to NASA, 6 to Patent Office, 5 each to Library of Congress and National Science Foundation), and the balance go to CIA internal (including 117 for OO/C) and other USIB agencies. Presumably there is considerable public dissemination from the AEC copies and those furnished to OO/C. (The CONFIDENTIAL and SECRET-NOFORN EDITIONS of the Consolidated Translation Survey receive CIA and USIB dissemination only, except for some distribution of the CONFIDENTIAL edition to cleared contractors and other associated activities.)

(2) FDD currently publishes 6 unclassified USSR periodic Summary subseries, which are disseminated by OCR. In spite of lack of restriction on dissemination, these publications go very little outside the USIB community. OTS generally receives 6 to 8 copies; Interior receives 5 of Materials and Materials Processing Equipment. The Weekly Report on Communist China was moved from OVO to unclassified at State's specific request for support of the Joint Committee on Contemporary China, but State receives only 5 copies of this subseries. Arrangements are being discussed whereby it would be possible for State to borrow the plates for this publication for an overrun at their own expense. The public can obtain either microfilms or photocopies of these unclassified Summary subseries from copies provided to the photoduplicating service of the Library of Congress and to SLA (John Crerar Library, Chicago).

(3) ORR's China: Provisional Atlas of Communist Administrative Units (CIA/RR GR 59-20), unclassified, was first issued by CIA in December 1959, attributed to CIA and to ORR and showing also the ORR serial identification. Of an edition of approximately 700 copies,

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125 were sent to Office of Technical Services for public sale, 140 went to OO/C for appropriate public distribution gratis, and the balance were used for CIA, other USIB, and non-USIB Government distribution. Of a second edition of 500 copies, 300 have been sold by or ordered from Office of Technical Services, and the balance is being held in reserve.

(4) ORR also has issued in the first months of 1960 unclassified editions of three economic reports, in the standard ORR brown cover, attributed to the Agency by name and seal but not showing either the name of the issuing Office or the ORR series identification. Two, Economy of Communist China 1958-62 and Civil Consumption of Petroleum Products in the USSR 1953-57, are sanitized versions of classified papers that received USIB dissemination in 1959. Recent Trends in the Economy of Poland, written as an unclassified report, received normal USIB dissemination in early 1960. Public dissemination of these three reports is being accomplished through OO/C, to lists of individuals -- mostly university professors -- coordinated with Office of Security; a few copies of Petroleum have been disseminated to interested non-USIB Government Agencies. For the first quarter of 1960 dissemination has been: Communist China, 100 copies of a run of 700; Petroleum, 50 of 250; Poland, 140 of 600.

b. Published by others.

(1) FDD's Scientific Information Report is published semi-monthly by Office of Technical Services, Department of Commerce. Its cover carries the attribution "Central Intelligence Agency" above the title and the CIA seal below the title, states the publication is

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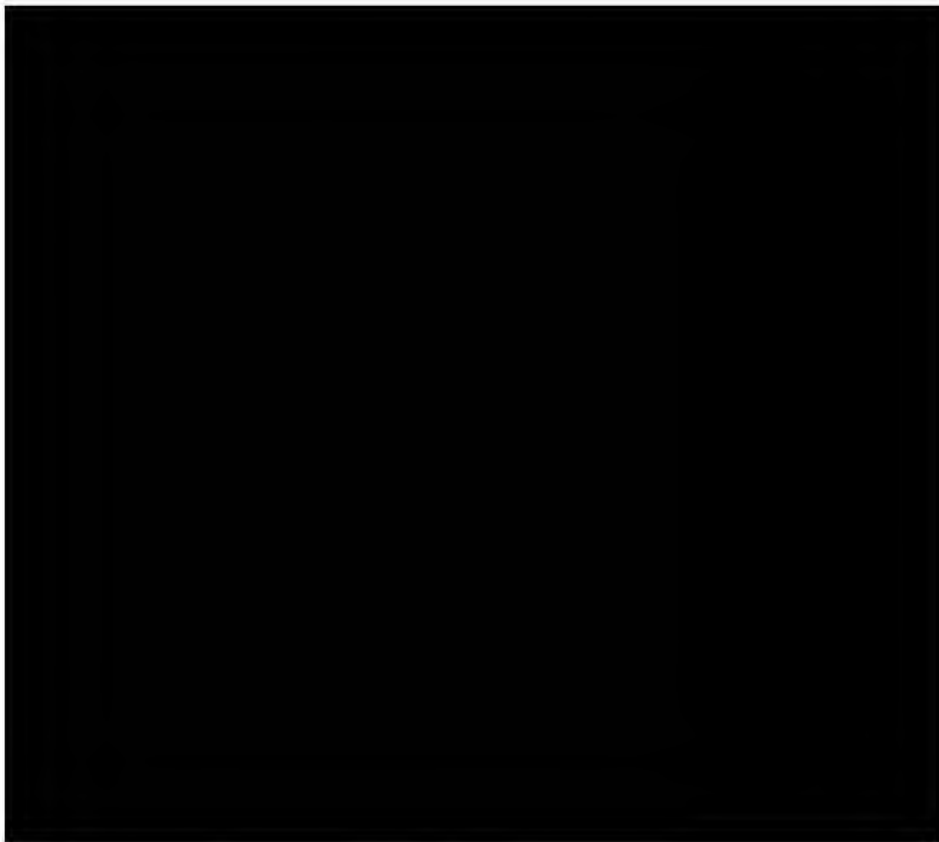
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TAB B, APB DRAFT DISSEM 3 Aug 60

distributed only by U.S. Department of Commerce, Office of Technical Services, Washington 25, D.C., and quotes prices for annual subscription and single copies. There are reported to be 160 paid subscriptions. Approximately 380 copies are furnished to OCR for CIA dissemination: of these, 10 copies each go to Library of Congress and Department of Agriculture, 9 to Health, Education & Welfare, 8 to Interior, 120 to USIB agencies other than CIA, and 208 to this agency. The only copies intended primarily for public distribution would seem to be 25 for OO/C, included in the CIA 208.

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TAB B, APB DRAFT DISSEM 3 Aug 60

(2) Some foreign-language readers and related material, attributed only "OTR" or "Office of Training", have been sent to universities and have also been made available to students not cleared for classified materials. Also, the six-volume "Red Interpreter" has been distributed to USIA libraries, and a set is on file at American University.

(3) The unclassified and unattributed annex to Studies in Intelligence has occasionally been forwarded by the editor to a limited list of individuals outside the Government.

(4) During the last year ORR prepared sanitized versions of three papers for use by OP in recruitment; these were unclassified, bound in plain white cover not attributed to CIA, but enclosed in detachable standard ORR brown cover, classified OVO, showing normal attribution and series identification.

(5) The FDD Summary subseries designated FOR OFFICIAL USE ONLY carry that caution on the cover only, with also instructions on removal of the cover if distribution exceeds USIB limits; that is, the publications are unclassified once the covers are removed, and could receive unlimited circulation. A quick check of OCR dissemination records does not, however, reveal any sizable batches of any of the 23 publications in this category that go to any one recipient for the probable purpose of public distribution, with the exception of 40 copies of Survey of the Soviet Press to OO/C. The OVO cover represents the older practice, mostly to protect Agency attribution; for USSR and Communist China there is no copyright-protecting reason for OVO and

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TAB B, APB DRAFT DISSEM 3 Aug 60

therefore no reason from the point of view of the producing division why more of these could not be added to the unclassified 6 mentioned in 2, a, (2) above. FDD reports that discussions on making the Weekly Report on Communist China unclassified indicated that libraries dislike the mutilated copies, with which they seemed to be familiar, since they impeded bibliographic identification.

b. Published by others.

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(1)

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Washington 25, D.C. The GPO sold 3868 individual copies of one or another of the four volumes of the 1957 edition of this publication from November 1957 to August 1959 when the 1959 edition became available. It is believed about one third of these went to Government offices, the remainder to the general public.

(2) FDD's weekly International Geophysical Cooperation Program is published by Office of Technical Services, Commerce, without CIA attribution. There are reported to be 150 paid subscriptions. An overrun of 380 copies is made for National Academy of Sciences, at their expense, presumably for what we would term public distribution. The 175 copies provided OCR for dissemination are used for intra-CIA and other USIB distribution that does not include any identifiable number presumably for public dissemination.

(3) Three OSI sanitized reports were put out without attribution to CIA by Office of Technical Services, Commerce, in 1959.

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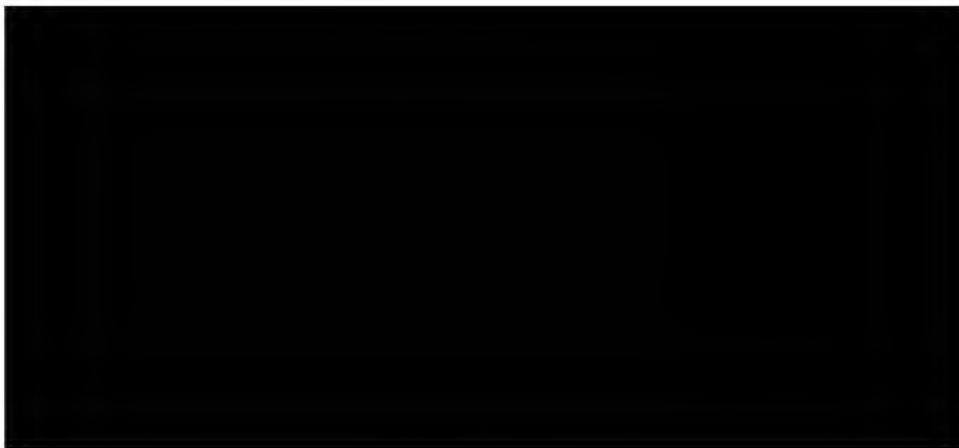
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Four others submitted were returned by OTS on the grounds that copy could not be photographed and OTS lacked facilities for retyping or preparing direct image masters. (FDD copy for OTS is forwarded on Duplimats ready for offset reproduction.) Agriculture and Health-Education-Welfare have indicated interest in putting out unclassified editions of OSI reports, but matters have not progressed beyond the discussion stage.

(4) The NIS Gazetteer, produced under general CIA supervision from CIA funds by the staff of the Board of Geographic Names, has for approximately the last two years appeared in two editions--FOR OFFICIAL USE ONLY and unclassified. As earlier Gazetteers, originally issued only in RESTRICTED or FOR OFFICIAL USE ONLY editions, come up for revision in the NIS maintenance program, the revision is issued in the unclassified edition also. The unclassified edition makes no mention of CIA or the NIS program and is for sale by GPO; a spot check indicates a range of 100 to 150 copies sold of each Gazetteer during the first year following publication.

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and sells subscriptions or single numbers to the public. Monthly Index of Russian Accessions and East European Accessions Index are products of research financed exclusively by this agency through fiscal 1959 and about 90% by this agency in fiscal 1960; other agencies' contributions for fiscal 1961 are being discussed. Printing costs were assumed by Library of Congress through fiscal 1958, but thereafter have been added to research costs borne by this and other agencies. CIA receives from Library of Congress about 80 copies of the Russian Accessions and 40 copies of the East European Accessions; except for a few reserved to facilitate exchanges by publications procurement officers, these copies are expended entirely in intra-CIA distribution. Research for these publications produces also, however, about 17,000 scientific bibliographic cards per month for the Biographic Register of OCR. For fiscal 1959 CIA is contributing something more than 50% to the cost of the third publication, World List of Future International Meetings. CIA receives about 50 copies of this publication, which receive intra-Agency dissemination only.

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SELECTION AND PREPARATION OF MATERIALS
FOR PUBLIC RELEASE

1. The Agency does not have a designated central point of responsibility for selecting materials for public release or for coordinating preparation of such materials. Sometimes public release is an inherited function, as with [REDACTED] Sometimes the impetus has come from outside the Agency, as in the request from State for unclassified publication of the Weekly Report on Communist China (see para.2,a(2) TAB B).

2. Probably the most important single step in the direction of greater public dissemination---production of the unclassified Scientific Information Report (see para.2,b(1) TAB B) and the unclassified edition of the Consolidated Translation Survey (see para.2,a(1) TAB B)---resulted from a variety of circumstances: the first "sputnik", the interest of the President's Scientific Advisory Board, and the participation of the DCI and the DD/I.

3. When the impetus has come from within the Agency, it seems generally to have been due to an estimation of public need or interest on the part of the publishing office, as in the case of China: Provisional Atlas of Communist Administrative Units (see para.2,a(3) TAB B). In some cases suggestions or encouragement from OCR may have had a part in the decision of the publishing office. OCR would in any event be consulted on proposed dissemination.

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4. The principal problems in preparation for public release are related to the classification of the raw material. If the raw material is unclassified (e.g., the Provisional Atlas mentioned above and the ORR economic report listed in para. 3.a(4) TAB B) the problem, [REDACTED], becomes merely one of paying for the additional copies. Sometimes, by arrangement with other agencies, even this problem may not exist. If the material has previously been OFFICIAL USE ONLY, an administrative determination can be made by the Deputy concerned, on the request of the publishing office and with the concurrence of AD/CR in accord with the terms of the DCI-approved OCR memo of 6 June 1958, that the OFFICIAL USE ONLY may be dropped and the publication be released without limitation.

5. If the material carries a defense classification, the problem is one of sanitization, since it is rarely possible to declassify a current publication by outright downgrading. If public dissemination is anticipated during the composition or the editorial stages, sanitization is much facilitated: two editions can be prepared simultaneously or, as suggested by the DDCI memorandum of 20 December 1958 to the Agency Publications Board, classified material can be included in an annex to accompany the unclassified document when appropriate.

6. It is impossible to state categorically how much increase in public dissemination could be obtained within the present personnel resources of the offices involved. Some of the larger publishers might

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be able to increase their output, particularly in fields in which a large proportion of the material is unclassified and the small amount of necessary classified supporting information could be printed in an annex. Probably several more FDD publications now OFFICIAL USE ONLY could be freed of that limitation by administrative determination, if such determination should be consistent with present or revised policy as to attribution.

7. In some quarters of the Agency there is still substantial feeling against use of the Agency name on unclassified publications to be released to the public without limitation, which feeling is supported by the DCI-approved memorandum cited above. A completely unattributed and unidentifiable piece of paper, however, is a general as well as a bibliographical nuisance, and should never be issued by this Agency for headquarters, general-Government, or US-public use. While Office of Technical Services in Commerce might put out a few more papers under their sponsorship, enlargement of this channel is limited by the present OTS view of what constitutes "scientific and technical" information under the terms of their charter. Therefore, any substantial increase in flow of information to the public must be accomplished either through relaxing still further of present policy and custom

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8. Whether or not it is desired to increase the present flow to the public, an Agency policy statement seems indicated, restating and possibly enlarging the terms of the 8 June 1958 DCI-approved memorandum. This statement should also establish a central point for monitoring, but should stress the selection responsibility of the producing offices. OCR seems the logical central point, in view of the missions and functions of the AD of that Office.

9. With present personnel, AD/CR could probably advise on dissemination and extra-Agency publication possibilities to the extent that is now being done and maintain a central office of record for listing publications made available to the public and the means through which dissemination was accomplished. There seems no good reason to alter the present dissemination mechanism--by OCR to Government, both USIB and other than USIB, and by CO/C to non-Government organizations and individuals, both subject to some exceptions--and the responsibility for detailed records as to individual recipients. Also, it should not greatly increase the load on OCR to ask certain officers to watch for possibilities for additional dissemination in sanitized editions, or to chair an Agency committee composed of specialists from producing offices each of whom would be responsible for scrutiny of his own publications and for coordinating selections through the committee.

10. But it would probably be necessary to provide CR with additional personnel, or to relieve that office of some equivalent

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present function if they should be called on to assume additional work, such as: surveying continually all Agency publications to pick up possibilities missed by the publishers; developing and maintaining liaison with possible publishers or sponsors of CIA publications among other Government or private organizations; or handling the inevitable exchange of correspondence with the public that would arise from any large increase in the number of CIA- attributed unclassified publications.

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10. In one case, American Lithographic Co. v. U.S., 57 Ct. Cl. 340, decided in 1922, a provision of the Liberty Loan Act was determined to obviate conformance to the statute directing that all printing be done at the Government Printing Office. The particular section of the Liberty Loan Act read in pertinent part as follows: "That in order to pay all necessary expenses, including rent, connected with any operation under this act, a sum ... is hereby appropriated ... to be expended as the Secretary of the Treasury may direct."

11. In Columbia Planograph Co. v. U.S., 90 Ct. Cl. 457, decided in 1940, the General Accounting Office had declined to pay a printing bill, contending that no authority existed in a Government agency to have printing done outside of the Government Printing Office in the face of the printing statute above cited as well as the regulations of the Joint Committee on Printing. The Court, in its opinion, cited the American Lithographic case and pointed out that the Government had authority to pay under the broad language of the National Industrial Recovery Act (48 Stat. 195) and the provisions of the Fourth Deficiency Act for the fiscal year 1933 (48 Stat. 275) which appropriated money for the National Recovery Program, "to be expended in the discretion and under the direction of the President, to be immediately available."

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12. Where a Government agency, however, orders printing done outside of the Government Printing Office, it must show authority to overcome the directive language of sections 111 and 116 of title 44, U.S. Code. Section 116 reads in pertinent part as follows: "No printing or binding shall be done at the Government Printing Office unless authorized by law." The Court of Claims in Davis v. U.S., 59 Ct. Cl. 197 (1924), in refusing to pay a claim for printing services to a private printing firm, described the statute as clearly importing "a positive inhibition against an executive officer going outside the Government Printing Office." The Court went on to say that:

"Where a statute in express language circumscribes the authority and power of an officer of the Government and expressly the manner of securing supplies of the character here furnished [printed letterheads], we are not, in the absence of some precedent to that effect, authorized in holding the United States liable for a contract made in direct opposition to existing law.

"...If an officer of the Government is positively forbidden to enter into a contract, and in addition to this is mandatorily to act in a certain way under prescribed conditions, he may not disregard the mandate of the law and obligate the United States in so doing. His authority to act is derived from statute."

13. In order to determine the legality of any expenditure for printing the statutory authority for such an expenditure must be scrutinized along with the publication to be printed. The authority to print may be broad, such as that contained in the Liberty Bond

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statute and the Deficiency Appropriation Act listed above. As these particular acts illustrate, however, the authority is limited to the purpose of the Act. In this respect, the decision in the Davis case is applicable to situations where there is no authority in an agency to publish as well as in those situations where an agency has authority to publish in a limited area. In the latter case, Davis would apply where an executive officer attempted to authorize printing beyond the limitations of the statutory authority. The burden of determining the limitation of authority to print is on the head of the agency or the executive officer to whom that responsibility has been delegated.

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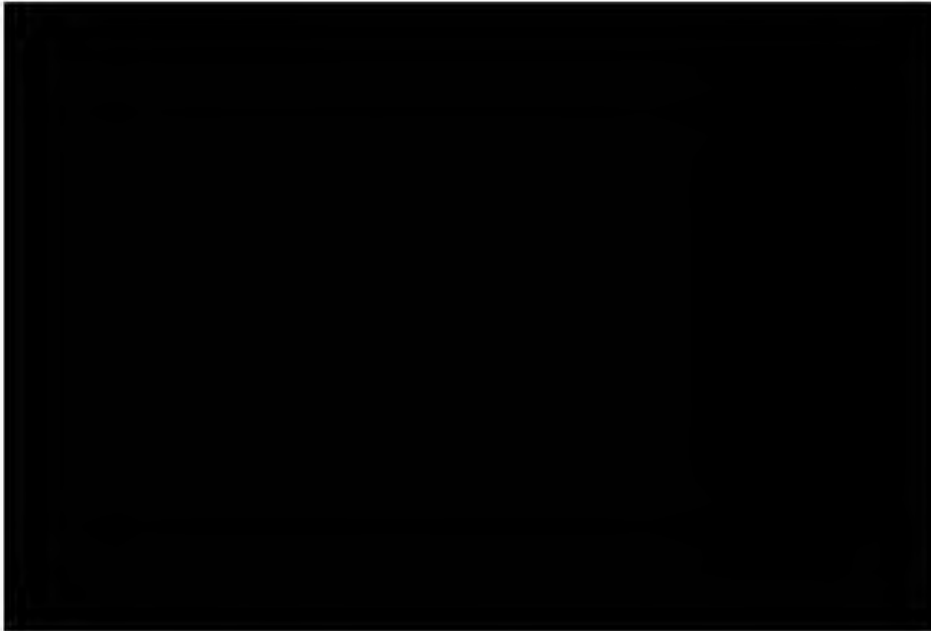
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18. The following examples of publications printed at the request of the Agency are discussed from the point of view of being consistent with applicable law:

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should be made available to the public. The last issue of the publication was ordered to be printed by this Agency using the standard GPO requisition form. However, no authority is cited as required by the form and the certification statement. This situation falls within the prohibition of section 116 of title 44, U.S. Code, which states in part: "No printing or binding shall be done by the Government Printing

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b. The Columbia University Program on East Central Europe and the Russian Institute at Columbia have been provided with documents for use in connection with sponsored books such as The Anti-Stalin Campaign and International Communism - a Selection of Documents.

c. A pointed out above, sections 111 and 116 of title 44, U.S. Code, generally limit printing done by Government agencies. In addition, there may be specific statutory prohibitions to the payment of appropriated funds to nongovernmental publishing organizations.

d. In 1953, the Comptroller General ruled that the Public Health Service appropriation was available for payment of part of the costs of publishing in scientific journals research reports and papers prepared by scientists of the Service where the Surgeon General determines that such publication is necessary to carry out the purposes of

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section 301 of the Public Health Service Act (42 U.S. Code 241).
Section 301 of that Act directs the Surgeon General to conduct and encourage research relating to diseases and in carrying out his duties he is authorized to "collect and make available through publications and other appropriate means, information as to, and the practical application of, such research and other activities...."³

e. The test appears to be that where an agency has an authorization to spend money appropriated to carry out its functions, which includes dissemination of knowledge to the public, such money can be paid to non-governmental organizations for the purposes of publication of materials prepared by the agency. Of course if there is a statutory prohibition, then expenditures may not be made.

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20. According to an opinion of the Comptroller of the Treasury, dated 23 April 1907, 13 Comp. Doc. 718, 722, "where Congress takes the initiative and calls for a report, not otherwise required by law to be

³32 Comp.Gen. 487.

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22. According to section 220 of title 44, U.S. Code, if the Government Printing Office prints a publication classified as a journal, magazine, periodical or similar publication and it can be certified as necessary in the transaction of the public business, then up to 2000 copies over and above those necessary for the transaction of the public business may be printed for free distribution by the agency.

^E, U.S. Code 140; see also 15 U.S. Code 1153 and 5 U.S. Code 606.

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